

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
August 8, 2000, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation - Judy Press, Mid-Kansas Jewish Federation
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Proclamations

PUBLIC AGENDA

1. Nile Dillmore, Wichita Independent Neighborhoods, Inc. – Wichita Alternative Correctional Housing.

NEW BUSINESS

2. [Amendments](#) to Title 26 – Requirements for Storm Shelters in Mobile Home Parks.

The proposed amendments incorporate changes suggested by the Task Force subcommittee, and are consistent with Sedgwick County's adopted Mobile Home Park Shelter requirements.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

3. [Construction Ordinance.](#)

The proposed changes clarify guidelines contained in the City's construction Ordinance, including adjustments in certain permit fees.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

4. [Charitable Solicitation on Public Rights-of-Way.](#)

Review of current Ordinance regarding solicitation of contributions.

RECOMMENDED ACTION: Affirm existing requirements.

5. [Tree Trimming Ordinance.](#)

The Ordinance revises City Code with respect to trimming of trees and shrubs located in street rights-of-way, parks, and City property.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

6. [Preferred Developers for Old Town Cinema Project.](#) (District VI)

Designation of a new preferred developer will provide a 120-day period to negotiate a development agreement.

RECOMMENDED ACTION: Designate Preferred Developer;
authorize Staff to negotiate Agreement.

7. [2001 Annual Operating Budget and Revisions to the 2000 Budget.](#)

RECOMMENDED ACTION: Receive the comments.

CITY COUNCIL AGENDA

8. [Board Appointments.](#)

RECOMMENDED ACTION: Make the appointments.

9. [Approval of Council Members' Travel to Boston, MA, to attend National League of Cities 2000 Congress of Cities, December 5-9, 2000.](#)

RECOMMENDED ACTION: Approve the expenditures.

10. [Approval of Council Member Pisciotte's Travel to Tokyo, Japan, to Represent the City at the Midwest U.S.-Japan Association Conference Governor's Mission, September 8-14, 2000.](#)

RECOMMENDED ACTION: Approve the expenditures.

CONSENT AGENDA

11. Report of the Board of Bids and Contracts Dated August 7, 2000.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts;
authorize the necessary signatures.

12. Application for Licenses for Adult Entertainment Establishments/Services:

Renewal Adult Entertainment 2000

| | | |
|--------------------|-----------------|----------------------------------|
| Valerie Washington | Xcitement Video | 3909 West Pawnee |
| Valerie Washington | Xcitement Video | 220 East 21 st Street |

New Adult Entertainment

| | | |
|---------------|---------------------------|---------------------|
| Cochran, Lisa | An Affectionate Foxy Lady | 2415 South Glendale |
|---------------|---------------------------|---------------------|

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

13. Applications for Licenses to Retail Cereal Malt Beverages:

| | | |
|----------------|-------------|-----------------------------------|
| <u>Renewal</u> | <u>2000</u> | <u>(Consumption off Premises)</u> |
|----------------|-------------|-----------------------------------|

| | | |
|----------------------|-------------------------------|-----------------------------------|
| David W. Haubenstein | Metro Oil Co, dba Total #4177 | 851 South Meridian |
| David W. Haubenstein | Metro Oil Co, dba Total #4178 | 324 West Harry |
| David W. Haubenstein | Metro Oil Co, dba Total #4180 | 1826 West 13 th Street |
| David W. Haubenstein | Metro Oil Co, dba Total #4182 | 4003 South Broadway |
| David W. Haubenstein | Metro Oil Co, dba Total #4183 | 731 North Ridge |
| David W. Haubenstein | Metro Oil Co, dba Total #4184 | 106 South Hydraulic |
| David W. Haubenstein | Metro Oil Co, dba Total #4185 | 223 East 21 st Street |
| David W. Haubenstein | Metro Oil Co, dba Total #4186 | 3919 West Pawnee |
| David W. Haubenstein | Metro Oil Co, dba Total #4188 | 1622 South West Street |
| David W. Haubenstein | Metro Oil Co, dba Total #4191 | 248 South Hillside |
| David W. Haubenstein | Metro Oil Co, dba Total #4194 | 233 North Rock Road |

| | | |
|---------------------|-------------|----------------------------------|
| <u>New Operator</u> | <u>2000</u> | <u>(Consumption on Premises)</u> |
|---------------------|-------------|----------------------------------|

| | | |
|--------------------|----------------|-----------------------------------|
| Sharon D. Guilfoil | The Chug-a-Lug | 5111 West 13 th Street |
|--------------------|----------------|-----------------------------------|

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

14. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted
to the Board of Bids.

15. Preliminary Estimates:

- a) Water supply line in Webb Road from one-half mile south of 45th Street North to 53rd Street North - Webb Road south of 53rd Street North. (448-89432/633724/750818) Traffic to be maintained during construction using flagpersons and barricades. (District – County) - \$908,247.50
- b) Water distribution system to serve Balthrop Addition - north of Central, east of Greenwich. (448-89335/734976/470646) Does not affect existing traffic. (District II) - \$74,100.00
- c) Central Park from the east line of 119th Street West, east, south and east to the east line of the plat; Parkridge from the north line of Central Park north to the north line of Lot 28, Block C; Central Park Courts (Lots 39-53, Block C) from the north line of Central Park, north and east to and including the cul-de-sac, (Lots 1-12, Block D) from the south line of Central Park, south to and including the cul-de-sac, (Lots 13-18, Block D) from the south line of Central Park, south to and including the cul-de-sac, (Lots 3-11, Block E) from the south line of Central Park, south to and including the cul-de-sac; Parkridge Court from the east line of Parkridge, east to and including the cul-de-sac; and: sidewalk on one side of Central Park and Parkridge to serve West Ridge Estates - south of 29th Street North, east of 119th Street West. (472-83234/765631/490742) Does not affect existing traffic. (District V) - \$436,000.00
- d) 2000 Contract Maintenance mill and overlay of 13th and Maize Intersection - 13th and Maize. (2000_132324_1/132324_1/) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$190,800.00
- e) Water distribution system to serve unplatted tracts - along Arkansas Avenue, north of 43rd Street North. (448-89259/734764/470554) Not for advertisement. - \$14,400.00
- f) Water distribution system to serve and unplatted tract - west of Meridian, south of 61st Street North. (448-89185/734061/470484) Not for advertisement. - \$4,081.00
- g) Water distribution system to serve Hybritech Wheat Addition - east of Meridian, north of 53rd Street North. (448-89171/734079/470485) Not for advertisement. - \$5,865.00
- h) 2000 Sanitary Reconstruction Program, Phase 2 - south of 13th, west of Oliver. (468-83126/620288/660413) Traffic to be maintained during construction using flagpersons and barricades. (Districts I and IV) - \$251,000.00
- i) 2000-2001 CDBG street, curb and gutter improvements (Phase B) concrete - north of 31st Street South, east of Broadway. (2000_602342_B/602342_B/800002) Traffic to be maintained during construction using flagpersons and barricades. (Districts I and III) - \$309,795.00
- j) Lateral 54, Main 3, Southwest Interceptor Sewer to serve Aero Addition - south of I-235 South, east of Meridian. (468-83060/743825/480513) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$8,000.00
- k) Edwards from the south line of 26th Street North to the north line of 25th Street North to serve Northwest Heights Addition - north of 25th Street North, west of Amidon. (472-83180/765615/490726) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$132,000.00

RECOMMENDED ACTION: Approve and file.

16. [Petition](#) for Public Improvement - Paving, Sanitary Sewer and Water Distribution Systems to Serve Evergreen and Evergreen Second Additions – North of 21st Street and West of Maize Road. (District V)

RECOMMENDED ACTION: Approve the Petitions; adopt the Resolutions.

17. [Minutes of Advisory Boards/Commissions:](#)

District IV Advisory Board, 6-07-2000
Wichita-Sedgwick County Board of Health, Public Health Committee, 6-12-2000
Wichita Area Planning Commission, 6-15-2000
Wichita Public Library Board of Director, 6-20-2000
District IV Advisory Board, 6-21-2000
Wichita Employees Retirement Board, 6-21-2000
Wichita-Sedgwick County Board of Health, Health Department Budget Committee 7-05-2000

RECOMMENDED ACTION: Receive and file.

18. [Consideration of Street Closures/Uses.](#)

RECOMMENDED ACTION: Approve the street closures/uses.

19. [Agreements/Contracts:](#)

- a) [CDBG](#) Contract - Catholic Charities, Inc. – Harbor House.
- b) [Contract](#) Amendment - legal services, Railroad Merger Litigation.
- c) [Services](#) to Local Workforce Investment Board.
- d) [Construction](#) and demolition landfill conceptual development plan.

RECOMMENDED ACTION: Approve the Agreements/Contracts;
authorize the necessary signatures.

20. [Design Services Agreements:](#)

- a) [Sawmill](#) Creek Addition – east of Rock Road, north of 45th Street North. (District II)
- b) [Great](#) Plains Business Park Second Addition – east of Oliver, south of 37th Street North. (District II)
- c) [Modifications](#) to Rock Road in front of Towne East Square – Rock Road between Kellogg and Douglas. (District II)

RECOMMENDED ACTION: Approve the Agreements/Contracts;
authorize the necessary signatures.

21. Easement Encroachment Agreements:

- a) [Lot 3](#), Forest Hills Office Park Fourth Addition. (District II)
- b) [Lot 2](#), Block B, Pleasantview Heights Second Addition. (District VI)
- c) [Lot 2](#), Block A, Auburn Hills Addition. (District V)
- d) [Lots 5](#) and 6, Carriage House Plaza Addition. (District V)
- e) [Lot 13](#), Block 12, Westlink Village Ninth Addition. (District V)

RECOMMENDED ACTION: Approve the Agreements;
authorize the necessary signatures.

22. Payment of Judgment in Condemnation Appeal. (District V)

RECOMMENDED ACTION: Authorize payment.

23. Public Exigency Project – Sanitary Sewer Repairs. (District II)

RECOMMENDED ACTION: Affirm the project.

24. Property Acquisition – East Kellogg Improvement Project:

- a) [450 Lexington](#). (District II)
- b) [18 Drury](#) Lane. (District II)

RECOMMENDED ACTION: Approve the budgets and Contracts;
authorize the necessary signatures.

25. Budget Adjustment – Emergency Wood Debris Disposal.

RECOMMENDED ACTION: Approve budget adjustments.

26. Purchase of Equipment – Police Department.

RECOMMENDED ACTION: Approve purchase.

27. Second Reading Ordinances: (First read August 1, 2000)

- a) Z-3352 north side of Central, east of Oliver. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. Z-3352

- b) Z-2000-00007 - south of 13th Street, on the East Side of Greenwich Road. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. Z-2000-00007

- c) ZON2000-00010 – corner of Harry Street and Seville. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2000-00010

- d) ZON2000-00021 - 8410 West Kellogg - south of McCormick and east of Tyler Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2000-00021

- e) Z-3179 – approximately 1/8 mile south of 21st Street North, east of Webb Road. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. Z-3179

- f) A 00-12 – north from Arkansas to Alexander. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 00-12

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- *28. [DED 2000-18](#) – Dedication of Utility Easement Located East of Seneca, South of 31st Street South. (District IV)

RECOMMENDED ACTION: Accept the Dedication.

29. [CON 2000-00022](#) – Conditional Use to Allow Sale of Used Cars on Property Zoned “LC” Limited Commercial Located on the North Side of West 13th Street, Between St. Paul and Meridian. (District VI)

Staff Recommendation: Disapprove.

MAPC Recommendation: Disapprove.

DAB VI Recommendation: Disapprove.

RECOMMENDED ACTION: Concur with the findings of the MAPC and disapprove the conditional use request; OR

Return the application to the MAPC for reconsideration.

Adjournment
